

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
FORT PIERCE DIVISION**

**CASE NO. 22-14117-CIV-CANNON/McCabe**

**DAYANARA MCMILLAN,**

Plaintiff,

v.

**BRIGHTHOUSE LIFE INSURANCE COMPANY,**

Defendant.

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**ORDER ACCEPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION**

**THIS CAUSE** comes before the Court upon Defendant's Motion to Dismiss [ECF No. 12]. On April 17, 2022, the Court referred Defendant's Motion to Magistrate Judge Ryon M. McCabe for a Report and Recommendation [ECF No. 20]. Judge McCabe thereafter issued a Report ("R&R") recommending that Plaintiff be given leave to file an amended complaint, and that Defendant's Motion [ECF No. 12] be denied as moot in light of the forthcoming amended pleading [ECF No. 27]. Neither party has filed an objection to the R&R.

Upon review, the Court finds the R&R to be well reasoned and correct. The Court therefore agrees with the analysis in the R&R and concludes that Plaintiff should be given leave to file an amended complaint for the reasons set forth therein.

Accordingly, it is hereby **ORDERED and ADJUDGED** as follows:

1. The R&R [ECF No. 27] is **ACCEPTED**.
2. Plaintiff shall file an amended Complaint **on or before June 13, 2022**.
3. Defendant's Motion [ECF No. 12] is **DENIED AS MOOT** in light of Plaintiff's forthcoming amended complaint.

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**DONE AND ORDERED** in Chambers at Fort Pierce, Florida this 26th day of May 2022.

A handwritten signature in black ink, appearing to read 'Aileen M. Cannon', is written over a horizontal line.

**AILEEN M. CANNON**  
**UNITED STATES DISTRICT JUDGE**

cc: counsel of record